

FILED
RICHARD W. NAGEL
CLERK OF COURT

2020 NOV 16 AM 11:40

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

U.S. Postal Service Priority Mail parcel 9505 5115 1745
0315 6025 71 addressed to "Maria Estela Vasquez, 883
Center St., Columbus, OH 43213"

for the
Southern District of Ohio

Case No.

2:20-mj-776

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 U.S.C. Section 841(a)(1)	Possession with intent to distribute a controlled substance
21 U.S.C. Section 843(b)	Prohibited use of a communication facility (U.S. Mail)
21 U.S.C. Section 846	Conspiracy

The application is based on these facts:

See Attachment C

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Dominic Francis

Applicant's signature

Dominic Francis, USPS OIG Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

Telephonic (specify reliable electronic means).

Date: November 16, 2020
Newark

City and state: XXXXXX, OH

Elizabeth A. Preston Delvers
Elizabeth A. Preston Delvers
United States Magistrate Judge

Eli

rate Judge

Attachment A

U.S. Postal Service Priority Mail parcel 9505 5115 1745 0315 6025 71 addressed to "Maria Estela Vasquez, 883 Center St, Columbus, OH 43213"

Attachment B

- 1.) Any controlled substances which constitute evidence of violations of Title 21, United States Code, Sections 841(a)(1), 843(b), and 846.**
- 2.) United States currency and/or drug proceeds**

Attachment C

Affidavit in Support of Application for Search Warrant

I, Dominic M. Francis, being duly sworn, depose and state the following:

1. I am a Special Agent for the U.S. Postal Service Office of Inspector General (USPS OIG) assigned to conduct general investigations of USPS employees and the abuse of U.S. Mail. I have been a USPS OIG Special Agent since 2019. During this time, I have been assigned to conduct investigations of narcotics and internal mail theft, investigating the mailing of illegal narcotics, their proceeds, and the theft, rifling, destruction, mistreatment, willful delay, or tampering of U.S. Mail. I have training and experience in the enforcement of laws in the United States, including training on how to conduct drug related investigations, search and seizure laws, evidence handling and processing, drug identification and field testing. I am a graduate of the Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. I have a bachelor's degree in Economics from The Ohio State University.

2. This Affidavit is made in support of a search warrant for the following property, namely a package associated with United States Postal Service (USPS) Priority Mail, USPS Tracking Number:

a. 9505 5115 1745 0315 6025 71

as further described in Attachment A, which is incorporated herein by reference. The USPS parcel is hereinafter referred to as TARGET PARCEL. This affidavit is made in support of a warrant to search the TARGET PARCEL for evidence of a crime as well as contraband, fruits of a crime or other items illegally possessed in relation to the following offenses:

- a. Possession with Intent to Distribute Controlled Substances, in violation of Title 21, United States Code § 841,
- b. Use of a Communication Facility, in violation of Title 21, United States Code § 843(b), and
- c. Conspiracy to Possess with Intent to Distribute Controlled Substances, in violation of Title 21, United States Code § 846.

A list of the specific items to be seized from the TARGET PARCEL is attached hereto as Attachment B, and Attachment B is incorporated herein by reference.

3. Because this affidavit is submitted in support of the application of the United States to search the parcel, it does not include every fact known concerning this investigation, I have

set forth facts and circumstances that I have relied upon to establish probable cause to justify the issuance of a warrant to search the TARGET PARCEL.

4. Your Affiant has become aware through experience and training that drug traffickers frequently use Priority Mail Express and/or Priority Mail services offered by the USPS, to transport narcotics and other dangerous controlled substances as well as drug proceeds. Each of these mail services are favored for the transport of contraband, both controlled substances and drugs proceeds because they ensure quicker delivery than standard mail service. These priority services charge a higher fee, but are particularly advantageous to drug traffickers because they are reliable and trackable. Notably, these services are not typically used for personal mailings but rather utilized by commercial businesses. Additionally, the higher fees charged by these mail services are usually paid by credit card or an established account and not in cash. As a result of investigations and successful controlled substance prosecutions where Priority Mail Express and/or Priority Mail were used, your Affiant has learned of certain characteristics indicative of other Priority Mail Express and/or Priority Mail items previously identified as containing narcotics or other dangerous controlled substances as well as drug proceeds. Some of these characteristics include, but are not necessarily limited to or used on every occasion - mail service fees paid in cash, parcel is dropped off at post office as compared to Click-N-Ship (USPS service which allows carrier pickup), handwritten label, false or non-existent return address, addressee is not known to receive mail at the listed delivery address, the package is heavily taped, the package is mailed from a known drug source location, labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanating from the package, and the listed address is located in an area of known or suspected drug activity. The advantage of dropping off the package at the post office as well as paying in cash allows the actual shipper to remain anonymous and not provide a paper trail.
5. As part of my routine duties, your Affiant reviews postal records for parcels and shipments sent to and from the Columbus, Ohio area. In recent months, your Affiant has proactively reviewed postal records for suspicious parcels being shipped to among other areas, Whitehall, Ohio -- in particular, parcels bound for the zip codes of 43213 and 43227. This request is a result of both local and federal law enforcement agencies advising your Affiant of increased drug trafficking activity in these zip codes. Therefore, your Affiant consistently reviews data for inbound parcels coming into 43213 and 43227. Your Affiant identifies packages that are shipped Priority Mail Express and Priority Mail, sent from source locations, that stand out as uncommonly heavy and require unusually high postage costs (as compared to standard shipping) which the sender pays for in cash at the post office. Only after your Affiant has identified a package containing these indicators from a list of all packages inbound for 43213 and 43227 will the package be subject to a canine sniff. Utilizing this process, your Affiant has previously identified parcels which were found to contain controlled substances.
6. On November 11, 2020, your Affiant conducted a review of postal records and determined **U.S. Postal Service Priority Mail parcel 9505 5115 1745 0315 6025 71** was sent inbound from Lewisville, Texas to 883 Center St., Columbus, OH 43213. The parcel weighed

approximately 15 pounds 12 ounces and measured approximately 14.6"x12.2"x10.4". Upon reviewing the parcel description, your Affiant noted that it contained a number of suspicious indicators previously described. The shipping label was handwritten and indicated it was not sent from or shipped to a commercial business, but rather person to person. According to the records, this particular parcel was taken inside a post office in a known narcotics source location in Texas and the shipper requested USPS priority 2-day shipping. The shipping fee was \$41.70 and paid for in cash. As noted above, the package weighed over 15 pounds and the dimensions were larger than what is typically shipped from person to person utilizing these particular shipping services. Based upon your Affiant's experience and training, the size of the package was also significant, not only because the weight increased the shipping fees, but also because drug traffickers often secrete controlled substances or drug proceeds within a larger package. When picked up, the TARGET PARCEL contains what sounds to be a single dense object that shifts in the box when moved from side to side, consistent with other parcels that have been found to contain controlled substances.

7. On November 12, 2020, your Affiant took custody of the TARGET PARCEL from the Whitehall, Ohio Post Office located at 83 Robinwood Ave, Columbus, Ohio 43213. Your Affiant observed that the addressee on the TARGET PARCEL was "Maria Estela Vasquez, 883 Center St., Columbus, OH 43213." The return address on the TARGET PARCEL was "Estelvina Benitez, 220 Ridgeway, Lewisville, Texas 75067." The TARGET PARCEL is currently located at a secure law enforcement facility located in Columbus, Ohio.
8. According to law enforcement databases, investigators determined that the return address of 220 Ridgeway, Lewisville, Texas 75067 does exist and has a registered resident with the name "Estelvina Benitez." Similarly, according to law enforcement databases, destination address "883 Center St., Columbus, OH 43213" is a valid residential address, and there is a "Ma E Vazquez Villa" registered to that address. Your Affiant contacted Whitehall Police Department in regards to the destination address and confirmed that it was located in a high-crime area, including trafficking in narcotics offenses.
9. On November 12, 2020, law enforcement contacted Officer Jesse Hackney, Whitehall, Ohio Police Department, regarding the suspect parcel and to arrange for a narcotics canine to check the parcel. Officer Hackney is the handler for "Breti," a drug detection dog certified through Ohio State Highway Patrol for the detection of the odor of: Marijuana, Cocaine, "Crack" Cocaine, Heroin, Methamphetamines and their derivatives.
10. The TARGET PARCEL was placed in a lineup among other packages varying in size, and Breti was allowed to search the entire area. The search was conducted at a secure law enforcement facility in Columbus, Ohio. Officer Hackney concluded that K-9 Breti did alert positively to TARGET PARCEL. Based on that alert, Officer Hackney concluded that the odor of one of the drugs that K-9 Breti is trained and certified to detect was present.

11. I know based on my training and experience that Texas is a common originating area for controlled substances sent through the U.S. Mail with the central Ohio area being a common destination point for controlled substances sent through the U.S. Mail. I know based on training and experience that information listed herein identifies common characteristics of a U.S. Postal Service parcel which contains a controlled substance. Based upon my experience and training, this information, along with the parcel being mailed from a location of known drug activity and drug source location, being mailed to a location of known drug activity, and the positive alert of narcotic canine "Breti" is indicative of the parcel containing narcotics.
12. Based upon the information contained in this affidavit, your Affiant believes that there is probable cause to believe that the parcel described below will contain evidence and/or contraband, fruits of crime, or other items illegally possessed:

a. Priority Mail, USPS Tracking Number: 9505 5115 1745 0315 6025 71

WHEREFORE, your Affiant respectfully requests that the Court issue a warrant, authorizing agents of the USPS-OIG, including but not limited to other law enforcement agents and technicians assisting in the above-described investigation, to open, view, photograph, and seize if necessary the TARGET PARCEL and its contents.

Further, your Affiant sayeth naught.

Dominic Francis

Dominic Francis
Special Agent
U.S. Postal Service
Office of Inspector General

Sworn and subscribed before me this 16th day of November, 2020.

Elizabeth A. Preston Deavers
Elizabeth A. Preston Deavers
United States Magistrate Judge

